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*Rebellion Louisbourg
racontée au Parlement
racontée par Lord Elgin*

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CANADA. JR45
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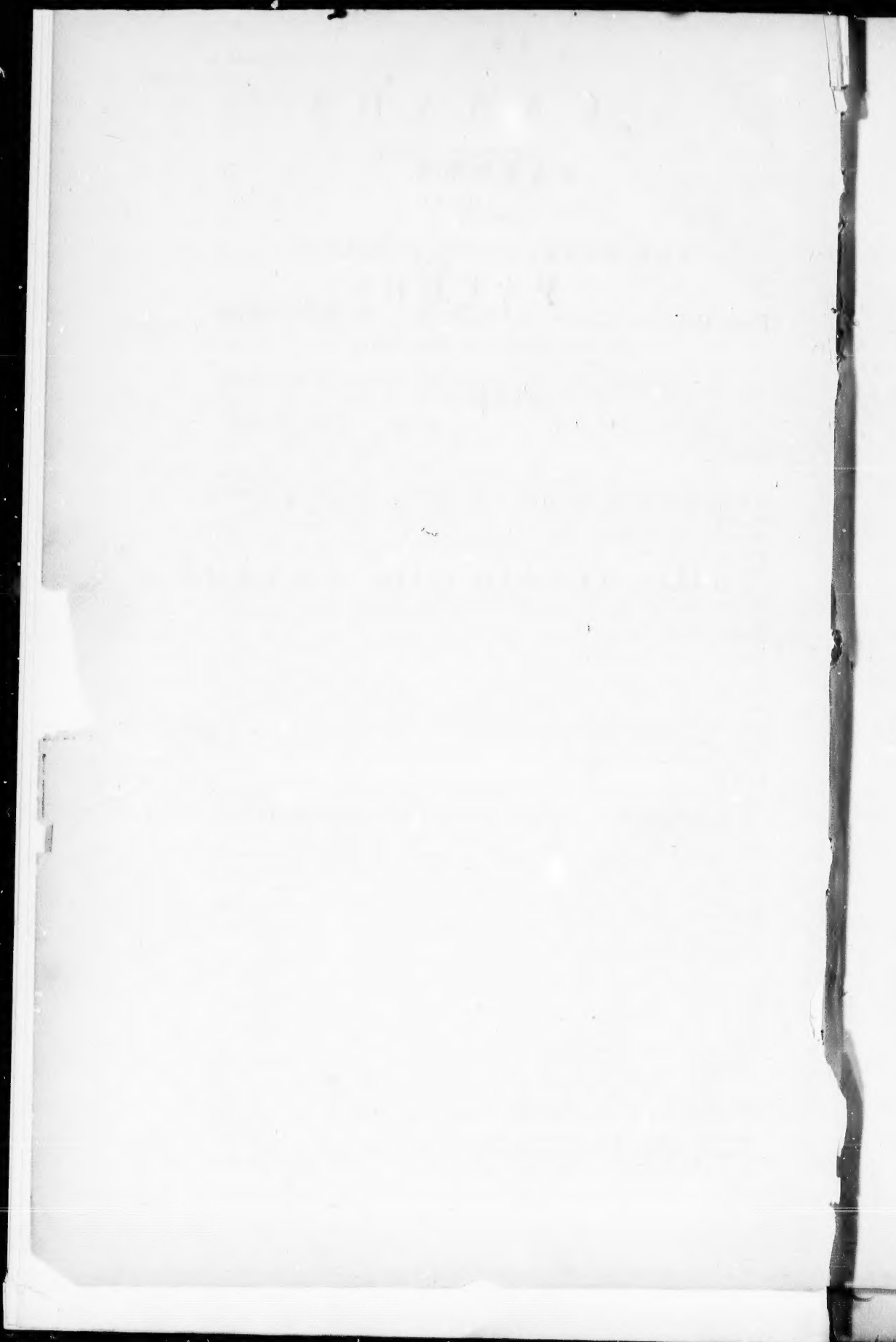
RELATIVE TO

THE AFFAIRS OF CANADA.

Presented to both Houses of Parliament by Command of Her Majesty,
MAY 1849.

LONDON:
PRINTED BY WILLIAM CLOWES AND SONS, STAMFORD STREET,
FOR HER MAJESTY'S STATIONERY OFFICE.
1849.

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P A P E R S

RELATIVE TO

THE AFFAIRS OF CANADA.

From Governor-General the Right Hon. the Earl of Elgin
and Kincardine to Earl Grey.

CANADA.

COPY of a DESPATCH from Governor the Earl of ELGIN AND KINCARDINE
to Earl GREY.

Government House, Montreal,

April 30, 1849.

(Received May 15, 1849.)

MY LORD,

I REGRET to state that rioting, attended with some consequences much to be regretted, though happily with no injury to life, or, except in one instance, to person, has taken place in the city of Montreal during the last few days. I hasten to furnish your Lordship with an account of what has actually occurred, lest you should be misled by exaggerated reports conveyed through the United States.

2. In consequence of the unexpected arrival of vessels with merchandize at the Port of Quebec, it became necessary for me to proceed, on a short notice, to Parliament, on Wednesday last, in order to give the Royal Assent to a Customs Bill which had that day passed the Legislative Council; and I considered that, as this necessity had arisen, it would not be expedient to keep the public mind in suspense by omitting to dispose, at the same time, of the other Acts in which the two branches of the local Parliament had at an earlier period of the session concurred, and which still awaited my decision. Among these was the Act to provide for the indemnification of parties in Lower Canada whose property was destroyed during the Rebellion in 1837 and 1838, with respect to which, as your Lordship is aware, much excitement has unhappily been stirred.

3. I herewith enclose, for your Lordship's perusal, a printed copy of the Act in question, and I shall not fail by the first mail to furnish you with full information respecting its character and objects, the circumstances which led to its introduction, and the grounds on which I resolved, after much reflection, to sanction it. No money can be paid under it as indemnity for a considerable period, so that Her Majesty's power of disallowance can be exercised with effect, should Her Majesty be so advised, notwithstanding the course which I have taken. As I am writing this Despatch in haste, with a view to its transmission by way of New York, I shall confine myself for the present to a statement of the proceedings by which the peace of the city has been disturbed.

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4. In order, however, to render this narrative intelligible, I must premise that for some time past the House of Assembly, as at present constituted, has been the object of bitter denunciation, and not unfrequently of reckless menace, on the part of a certain portion of the press of the province, and more especially of that of Montreal. Your Lordship will probably recollect that the body in question is the product of a general election which took place about 18 months ago, under the auspices of the political party now in opposition, and after a dissolution, to which I had recourse on their advice, for the purpose of strengthening them in their position as a Government. The result of this measure was in the last degree unfavourable to those who had recommended it; not, however, so much so in Lower Canada, where the complexion of the representation was little affected by the dissolution, as in the Upper Province, where several constituencies, among which were some of the most popu-

lous, rejected conservative in favour of liberal candidates. On a question of confidence raised at the commencement of the session, immediately after the general election, the Administration was defeated by a majority of more than two to one, and a change of Government, as a matter of course, ensued.

5. This alteration in the political complexion of the Assembly, and the change of Government consequent upon it, were therefore clearly and distinctly traceable to a revulsion of sentiment in the British constituencies of Upper Canada. In Lower Canada nothing had occurred to account for either. This circumstance has, however, failed to secure for the decisions of the popular representative body either forbearance or respect from a certain section of those who profess to be emphatically the supporters of British interests. To denounce the Parliament as French in its composition, and the Government as subject to French influences, has been their constant object, and the wildest doctrines have been broached with respect to the right which belongs to a British minority of redressing by violence any indignity to which it may be subjected from such a source. I have now before me an article that appeared in one of the principal English newspapers of Montreal at a very early period of the session, of which I transcribe the concluding paragraph, as illustrative of the temper and language in which, even at that time, and before the public mind had been excited by the discussion of the Rebellion Losses Bill, a portion of the press ventured to criticise the proceedings of the local Parliament. The article treats of a measure affecting the townships, to which, I believe, no great objection was raised in Parliament. It terminates, however, in the words—
“We are very glad of it—the sooner the cloven foot is made visible the better:—
“the obvious intention of that majority, composed of Frenchmen, aided by
“traitorous British Canadians, is to force French institutions still further upon
“the British minority in Lower Canada. The intention is obvious, as we said,
“and we are glad that it is openly shown. We trust that the party of the
“Government will succeed in every one of their obnoxious measures. When
“French tyranny becomes insupportable we shall find our Cromwell. Sheffield, in the olden times, used to be famous for its keen and well-tempered
“whettles; well, they make bayonets there now, just as sharp and just as well-
“tempered. When we can stand tyranny no longer, it will be seen whether
“good bayonets in Saxon hands will not be more than a match for a mace
“and a majority.”

6. To persons accustomed to the working of constitutional government in well-ordered communities, it may seem incredible that such language should be employed by the organs of any respectable party in reference to a body comprising the freely-chosen representatives of a constituency, formed on a most popular basis; but the cause of the anomaly is apparent enough to all who are acquainted with the history of Canada. For a series of years the popular representative body and the Executive, supported by the Legislative Council, were, in the Lower Province especially, in a condition of almost constant antagonism. To revile the one was the surest test of patriotism; to denounce the other, of loyalty. In a society singularly democratic in its structure, where diversities of race supplied special elements of confusion, and where consequently it was most important that constituted authority should be respected, the moral influence of law and Government was enfeebled by the existence of perpetual strife between the powers that ought to have afforded to each other a mutual support. No state of affairs could be imagined less favourable to the extinction of national animosities, and to the firm establishment of the gentle and benignant control of those liberal institutions which it is England's pride and privilege to bestow upon her children.

7. I am not without hope that a steady adherence to the principles of constitutional Government, and the continuance of harmony between the co-ordinate branches of the Legislature, may lead in process of time to the correction of these evils; meanwhile, however, I must ascribe mainly to the cause which I have assigned the tone of arrogant defiance with which the resolutions, not of the Government only, but also of the Parliament, are treated by parties who happen for the moment to be unable to make their views prevail with either, and the acts of violence to which this inflammatory language has in the present instance led.

8. That many persons conscientiously disapprove of the measure respecting rebellion losses in Lower Canada which has been introduced by the Govern-

ment, and which the local Parliament has passed by large majorities, and that in the minds of others it stirs national antipathies and recollections of former conflicts, which designing politicians seek to improve to their own selfish ends, cannot I fear be doubted. It is therefore emphatically a measure which should have been approached with calmness and caution, by all at least who are not directly interested in the issue. Unfortunately, however, this has been by no means the case. Not only have appeals to passion of the most reckless description proceeded from the local press, but they have received encouragement from quarters from which they had little right to look for it. Passages such as the following, in which a London journal of influence treats of the British population as affected by the measure in question:—"They are tolerably able to take care of themselves, and we very much misconstrue the tone adopted by the English press and English public in the province if they do not find some means of resisting the heavy blow and great discouragement which is aimed at them," are read with avidity, and construed to mean that sympathy will be extended from influential quarters at home to those who seek to annul the obnoxious decision of the local Legislature, whatever be the means to which they resort for the attainment of that end.

9. The scenes by which the city of Montreal has been lately disgraced, are the natural fruits of an agitation of this character, operating on a people of excitable temper, who have been taught to believe that a race which they despise, and over which they have been wont to exercise dominion, has obtained through the operation of a constitutional system an authority which it could not otherwise have acquired. Hence, more especially, their vehement indignation against me personally, and the conviction, in many cases I doubt not perfectly sincere, that I have been guilty of a serious dereliction of duty because I have not, as my predecessors have often done before me, consented to place myself in the front of an agitation to counteract the policy of Parliament. The nature of the constitutional doctrines which practically obtain in this section of the community, is curiously exemplified by the fact, that it is not the passage of the Bill by an overwhelming majority of the representatives of the people, or the acquiescence of the Council, but the consent of the Governor which furnishes the pretext for an exhibition of popular violence.

10. When I left the House of Parliament after giving the Royal Assent to several Bills, to which I have referred, I was received with mingled cheers and hootings by a crowd by no means numerous which surrounded the entrance to the building. A small knot of individuals consisting, it has since been ascertained, of persons of a respectable class in society pelted the carriage with missiles which they must have brought with them for the purpose. Within an hour after this occurrence a notice, of which I enclose a copy, issued from one of the newspaper offices, calling a meeting in the open air. At the meeting inflammatory speeches were made. On a sudden, whether under the effect of momentary excitement, or in pursuance of a plan arranged beforehand, the mob proceeded to the House of Parliament where the members were still sitting, and breaking the windows set fire to the building and burned it to the ground. By this wanton act public property of considerable value, including two excellent libraries, has been utterly destroyed. Having achieved their object the crowd dispersed, apparently satisfied with what they had done. The members were permitted to retire unmolested, and no resistance was offered to the military who appeared on the ground after a brief interval, to restore order, and aid in extinguishing the flames. During the two following days a good deal of excitement prevailed in the streets, and some further acts of incendiarism were perpetrated. Since then the military force has been increased, and the leaders of the disaffected party have shown a disposition to restrain their followers, and to direct their energies towards the more constitutional object of petitioning the Queen for my recall, and the disallowance of the obnoxious Bill. The proceedings of the House of Assembly will also tend to awe the turbulent. I trust, therefore, that the peace of the city will not be again disturbed. The newspapers which I enclose contain full, and I believe pretty accurate, accounts of all that has occurred since Wednesday last.

11. The ministry are blamed for not having made adequate provision against these disasters; that they by no means expected that the hostility to the Rebellion Losses Bill would have displayed itself in the outrages which have been perpetrated during the last few days is certain. Perhaps sufficient attention was not paid by them to the menaces of the opposition press. It must be

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No. 5, page 22.

CANADA.

admitted, however, that their position was one of considerable difficulty. The civil force of Montreal—a city containing about 50,000 inhabitants of different races, with secret societies and other agencies of mischief in constant activity—consists of two policemen under the authority of the Government, and 70 appointed by the Corporation. To oppose, therefore, effectual resistance to any considerable mob, recourse must be had in all cases either to the military or to a force of civilians enrolled for the occasion. Grave objections, however, presented themselves in the present instance to the adoption of either of these courses until the disposition to tumult on the part of the populace unhappily manifested itself in overt acts. More especially was it of importance to avoid any measure which might have had a tendency to produce a collision between parties on a question on which their feelings were so strongly excited. The result of the course pursued is, that there has been no bloodshed, and, except in the case of some of the ministers themselves, no destruction of private property.

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No. 4, pages 11-22.

12. The proceedings in the Assembly have been important. I enclose the copy of an address which has been voted to me by a majority of 36 to 16, expressive of abhorrence at the outrages which have taken place in the city of Montreal, of loyalty to the Queen, and approval of my just and impartial administration of the Government with my late as well as my present advisers. Some of the opposition approve of the course which I have taken with respect to the Rebellion Losses Bill, as appears from the speeches of Messrs. Wilson and Galt, of which reports are given in the newspapers which I enclose. Mr. Wilson is an influential member of the Upper Canada conservative party, and Mr. Galt's views are the more important, because he has been returned to Parliament only a few days ago by a Lower Canadian constituency which comprises a large British population. Generally, however, as the amendments they have moved to the address shew, they desire to avoid committing themselves on this point. The votes against the Address may be thus classed: Sir A. McNab and his party; my late ministers and their party; and Mr. Papineau. The first acts with perfect consistency in voting as he has done on this question; for he has always contended that government conducted on British principle is unsuited to Canada. The course of the second class is less intelligible; for, until the day on which they resigned their offices into my hands, they uniformly expressed approval of the principles on which my conduct as Governor-General was guided; and these, as your Lordship well knows, have undergone no change with the change of administration. Mr. Papineau's vote conveys a useful lesson which will not, I trust, be lost on persons who had been induced to believe that the persecution of which I am now the object is really attributable to my having shown undue lenity to those who were led by him into rebellion.

13. I have now furnished your Lordship with as clear a statement of these important occurrences as I can give, and I can conclude by assuring you that the city is perfectly tranquil, and that there is no present likelihood of a renewal of disturbances. A few days will show what echo the proceedings of the violent party awaken in Upper Canada, and to what extent they are followed by reaction. Meanwhile it is my firm conviction that if this dictation be submitted to, the government of this province by constitutional means will be impossible, and that the struggle between overbearing minorities, backed by force, and majorities resting on legality and established forms, which has so long proved the bane of Canada, driving capital from the province, and producing a state of chronic discontent, will be perpetuated. At the same time, I think that if I am unable to recover that position of dignified neutrality between contending parties which it has been my unremitting study to maintain, and from which I would appear to have been for the moment driven—not, as I firmly believe, through any fault of my own, but by the unreasoning violence of faction—it may be a question with your Lordship whether it would not be for the interests of Her Majesty's service that I should be removed from my high office to make way for one who should not indeed hold views at variance with mine with respect to the duties of a constitutional Governor, but who should have the advantage of being personally unobnoxious to any section of Her Majesty's subjects within the province.

I have, &c.,

(Signed)

ELGIN AND KINCARDINE.

The Right Hon. Earl Grey,
&c. &c. &c.

Enclosure 1.

AN ACT to provide for the Indemnification of Parties in Lower Canada whose Property was destroyed during the Rebellion in the years 1837 and 1838.

Received and Read a First Time, Tuesday, February 27, 1849.

Second Reading, Friday, March 2, 1849.

WHEREAS on the 28th day of February, 1845, an humble address was unanimously adopted by the Legislative Assembly of this province, and by them presented to the Right Honourable Charles Theophilus Baron Metcalfe, the then Governor-General of the same, praying "that his Excellency would be pleased to cause proper measures to be adopted in order to insure to the inhabitants of that part of this province, formerly Lower Canada, indemnity for just losses by them sustained during the Rebellion of 1837 and 1838;" and whereas on the 24th day of November, 1845, a Commission of five persons was, by his Excellency the said Governor-General, duly appointed to inquire into such losses arising from and growing out of the said rebellion; and whereas, it appears by the Report of the said Commissioners, dated the 18th day of April, 1846, that "the want of power to proceed to a strict and regular investigation of the losses in question left the Commissioners no other resource than to trust to the allegations of the claimants as to the amounts and nature of their losses;" and whereas, in order to redeem the pledge given to the sufferers of such losses, or their *bond fide* creditors, assigns, or *ayant-droit*, as well by the said Address of the said Legislative Assembly, and the appointment of the said Commission, as by the letter addressed by the Honourable the Secretary of the Province, by order of the Right Honourable Charles Murray, Earl Cathcart, the then Administrator of the Government of the same, to the said Commissioners, on the 27th day of February, 1846, it is necessary and just that the particulars of such losses, not yet paid and satisfied, should form the subject of more minute inquiry under legislative authority, and that the same, so far only as they may have arisen from the total or partial, unjust, unnecessary or wanton destruction of the dwellings, buildings, property, and effects of the said inhabitants, and from the seizure, taking or carrying away of their property and effects, should be paid and satisfied; provided that none of the persons who have been convicted of high treason, alleged to have been committed in that part of this province formerly the Province of Lower Canada, since the 1st day of November, 1837, or who, having been charged with high treason or other offences of a treasonable nature, and having been committed to the custody of the sheriff in the gaol of Montreal, submitted themselves to the will and pleasure of Her Majesty, and were thereupon transported to Her Majesty's Islands of Bermuda, shall be entitled to any indemnity for losses sustained during or after the said rebellion, or in consequence thereof. Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, that, for the purposes of this Act, it shall be lawful for the Governor in Council to authorize the issue of debentures, payable out of the Consolidated Revenue Fund of this province, at or within 20 years after the date thereof, respectively, and bearing interest at the rate of 6 per cent., payable out of the said fund on such day in each year as shall be therein specified, provided the total amount of the said debentures shall not exceed the sum hereinafter mentioned.

II. And be it enacted, that the said debentures may be issued in such form and for such separate sums respectively as the Governor in Council shall deem expedient, and may be issued either to such parties as shall be willing to advance money for the same, or to parties to whom money shall be awarded for compensation of losses under this Act, or who shall demand them in exchange for debentures of like amount issued under the Act hereinafter mentioned.

III. And be it enacted, that the holder of any debenture issued under the authority of the Act passed in the ninth year of Her Majesty's reign, and intituled, "An Act to provide for the payment of certain Rebellion Losses in Lower Canada, and to appropriate the proceeds of the Marriage License Fund," may, on any day on which the interest on such debenture is payable, have the same exchanged for a debenture for a like amount to be issued under this Act, and the interest then payable on such debenture shall at the same time be paid out of the said Consolidated Revenue Fund, and the proceeds of so much of that portion of the Marriage License Fund arising in Lower Canada as shall not be required to pay off the principal and interest of any unexchanged debenture, shall form part of the said Consolidated Revenue Fund.

IV. Provided always, and be it enacted, that the Governor in Council may, at any time, by notice in the "Canada Gazette," require that all the debentures issued under this Act be presented at a time certain, and not less than six months from the date of such notice, for payment of the principal and interest thereof in full; and such payment shall be made accordingly out of the said Consolidated Revenue Fund, and after the time so appointed no interest shall accrue on the debentures which shall not be so presented.

V. And be it enacted, that the debentures issued under this Act shall be distinguished from those issued under other Acts, and that separate accounts shall be kept thereof, and of all money expended under this Act; and that such accounts shall be laid annually before the Provincial Parliament; and that the due application of all money expended under this Act shall be accounted for to Her Majesty, through the Lords Commissioners of Her Majesty's Treasury, in such manner and form as Her Majesty shall please to direct.

Preamble.
Recital.
Address of Feb. 28, 1845.

Report of Commissioners, April 18, 1846.*

Secretary's letter, Feb. 27, 1846.†

Governor in Council may authorize issue of debentures for purposes of this Act.

Debentures may be issued in such form as the Governor in Council may deem expedient.

Holders of debentures under 9 Vic., c. 65, may have them exchanged for debentures under this Act, for a like amount.

Governor may at any time require all the debentures issued under this Act, to be presented for payment in full.

Debentures under this Act to be distinguished from those issued under other Acts, &c.

* For Report of Commissioners, 18th April, 1846, vide Papers relative to Rebellion Losses in Canada, ordered by the House of Commons to be printed 2nd May, 1849, No. 253, page 43.

† For Secretary's Letter, 27th February, 1846, vide ditto, page 42.

CANADA.

Governor may
appoint Commis-
sioners under this
Act.

Oath to be taken
by Commissioners.
The oath.

A clerk may be ap-
pointed to the said
Commissioners.

Amount of debent-
ures, &c., not to
exceed 100,000*l.*
currency.

Duty of Com-
missioners.

Powers vested in
Commissioners
shall extend in
certain cases.

Commissioners to
hold their sittings
at such times and
places as Governor
may direct.

Proviso.

Commissioners to
have power to
examine upon oath
persons appearing
before them.

Wilful false state-
ments to be perjury.

Commissioners to
report proceedings
to Governor, on or
before September,
1850.

VI. And be it enacted, that it shall be lawful for the Governor to appoint five persons to be Commissioners under this Act, and from time to time to remove them or any of them, and to appoint any or others in the place of any so removed, or dying, or resigning office.

VII. And be it enacted, that each of the said Commissioners shall, before entering upon the duties of his office, take and subscribe, before any justice of the peace, the following oath:—
“I, _____, swear that I will faithfully and without partiality, fear, favour, or affection, perform my duty as Commissioner under the Act, intituled ‘An Act,’ &c. [insert the title of this Act], and that I will allow to each claimant under the said Act neither more nor less than the sum which he is entitled to claim for compensation, according to the true intent and meaning of the said Act. So help me God.” Which oath shall be entered on the minutes of the proceedings of the said Commissioners, and make part thereof.

VIII. And be it enacted, that it shall be lawful for the Governor from time to time to appoint a clerk to the said Commissioners, and the same to remove, and in case of any such removal, or of death or of resignation of office of the said clerk, to appoint another in his place; and the Commissioners and their clerk shall receive for their services under this Act, and for their necessary expenses and disbursements, such compensation as shall be allowed by the Governor in Council, and no other fees or emoluments whatsoever; and such compensation shall be defrayed out of the said Consolidated Revenue Fund.

IX. And be it enacted, that the amount of the debentures to be issued under this Act, and the amount of the said compensation to be allowed to the said Commissioners and clerk, shall not exceed the sum of 100,000*l.* currency, which sum shall also include the sum of 9,986*l.* 7*s.* 2*d.*, raised by debentures issued under the said Act hereinbefore mentioned.

X. And be it enacted, that it shall be the duty of the said Commissioners faithfully and without partiality to enquire into and to ascertain the amount of the losses mentioned in the preamble to this Act, as those for which compensation ought to be made, and to report the same to the Governor of this province.

XI. And be it enacted, that the powers vested in, and duties required of, the said Commissioners, or of any three of them, under this Act, shall also extend and be construed to extend to inquire into all such losses sustained by Her Majesty's subjects and other residents within the said late province of Lower Canada, and the several claims and demands which have accrued to any such persons by such losses, in respect of any loss, destruction, or damage of property occasioned by violence on the part of persons in Her Majesty's service, or by violence on the part of persons acting or assuming to act on behalf of Her Majesty, in the suppression of the said rebellion, or for the prevention of further disturbances, and all claims arising under or in respect of the occupation of any houses or other premises by Her Majesty's naval or military forces, either imperial or provincial; subject always to the limitations and exceptions contained in the preamble to this Act.

XII. And be it enacted, that the Commissioners appointed under this Act, shall hold their sittings publicly at such places and times, and for such counties, parishes, or other territorial divisions respectively, as the Governor in Council shall from time to time direct and notify to them through the provincial secretary, and shall give such public notice of their said meetings as they shall in like manner be required to give; and at such meetings any three of the said Commissioners shall be a quorum, and any report, award, or proceeding in which three of the Commissioners shall concur, shall be deemed to be made or done by the Commissioners; provided always, that no sitting of the said Commissioners shall be held after the 1st day of September, 1850, and no claim shall be received by them after the 1st day of May, 1850.

XIII. And be it enacted, that the said Commissioners shall have full power and authority to examine upon oath (which oath any one of them may administer) any person who shall appear before them, either as a claimant or as a witness for or against any claim, or for the better information of the Commissioners concerning the same; and shall have full power and authority to summon before them any person or party whom they may deem it expedient to examine touching any claim, and to require him to bring with him, and produce any book, paper, instrument, document, or thing mentioned in the summons, and supposed to be necessary to the determination of any such claim; and if any person or party so summoned shall, after due notice, refuse or neglect to attend before them, or being so summoned and attending, shall refuse to answer any lawful question put to him by the Commissioners, or any one of them, or to bring and produce any book, paper, instrument, document, or thing in his possession, which he shall, by the summons, have been required to bring with him and produce, the said Commissioners may cause such person or party, if not already before them, to be apprehended and brought before them, and may, in their discretion, commit him to the common gaol of the district, for a period not exceeding three months; and any person making any wilfully false statement on oath before the said Commissioners or any one of them, shall be adjudged guilty of wilful and corrupt perjury; provided always that no claim shall be allowed upon the oath of the claimant, unless he shall be corroborated in all the important particulars by indifferent and unsuspected witnesses or other testimony.

XIV. And be it enacted, that the said Commissioners shall, on or before the 1st day of September, 1850, report their proceedings to the Governor, stating more especially the sum they shall have allowed, for such losses as aforesaid to each claimant respectively; and if the total amount of the sums so allowed, and the said sum of 9,986*l.* 7*s.* 2*d.*, and the expenses incurred under this Act, shall exceed the sum of 100,000*l.*, then the expenses incurred under this Act shall be first provided for, and secondly the said sum of 9,986*l.* 7*s.* 2*d.*, and the remaining sum shall be distributed among the claimants in proportion to the sums allowed to them respectively, by the Commissioners, or any three of them.

Enclosure 2.

CANADA.
Enclosure 2.

EXTRACT from the "Montreal Gazette," dated April 25, 1849.

The Disgrace of Great Britain accomplished! Canada Sold and Given Away! The Rebellion Losses Bill Passed. The Governor pelted with Rotten Eggs!

This afternoon it was generally rumoured in town the Governor-General would proceed to the House, and give his sanction to certain Bills; but it never was supposed the Rebellion Losses' Bill would be one of them.

Ashamed of the part he was about to act, and expecting to steal a march upon the public feeling, Lord Elgin sneaked down to the House an hour after the time appointed, and after it was believed he had given up his intention he made his appearance in the Chamber of the Legislative Council.

After assenting to several Bills of little importance, the Clerk read, with as little desire to attract attention as possible,

The Rebellion Losses' Bill!

And to the eternal and damnable disgrace of Great Britain,"

Rebellion is the Law of the Land!

The announcement was received with groans and stamping of feet. There were several other Bills to be assented to afterwards; but the galleries, in disgust, rushed from the Council Chamber, "muttering curses both loud and deep,"—curses which will bear effect some other day.

The few persons who had collected outside, on learning what had passed, burst into yells, hootings and groans, for "the last Governor of Canada."

When Lord Elgin—he no longer deserves the name of Excellency—made his appearance on the street to retire from the Council Chamber, he was received by the crowd with hisses, hootings, and groans. He was pelted with rotten eggs; he and his aide-de-camps were splashed with the savory liquor; and the whole carriage covered with the nasty contents of the eggs and with mud. When the eggs were exhausted stones were made use of to salute the departing carriage, and he was driven off at a rapid gallop amidst the hootings and curses of his countrymen.

The End has begun.

Anglo-Saxons! you must live for the future. Your blood and race will now be supreme, if true to yourselves. You will be English "at the expense of not being British." To whom and what is your allegiance now? Answer each man for himself.

The puppet in the pageant must be recalled, or driven away by the universal contempt of the people.

In the language of William the Fourth, "Canada is lost, and given away."

A Mass Meeting will be held on the Place d'Armes this evening at 8 o'clock. Anglo-Saxons to the struggle, now is your time.

Enclosure 3.

Enclosure 3.

VOTES AND PROCEEDINGS of the LEGISLATIVE ASSEMBLY.

Bonsecours Hall, Friday, April 27, 1849.

The Orders of the Day were postponed until to-morrow.

The House then adjourned until 10 o'clock, A.M., to-morrow.

Saturday, April 28, 1849.

Hon. Mr. Boulton moved the following address to his Excellency:—

MAY IT PLEASE YOUR EXCELLENCY,

WE, Her Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, have witnessed, with feelings of deep sorrow and indignation, the proceedings of a mob of riotous and disorderly inhabitants of this city, who, in a time of profound peace and tranquillity, have committed several wanton and disgraceful outrages, as well upon persons as property, the most prominent of which is the destruction of the building occupied by the two Houses of Parliament. At such a moment of excitement, we feel it to be due to ourselves and our constituents to assure your Excellency of the devoted loyalty and attachment of the people of Canada to the person and government of our beloved Sovereign, and of their earnest desire to preserve the connection with the parent state.

We further beg leave to express to your Excellency our deep sense of the justice and impartiality which has uniformly characterized the constitutional Government of your Excellency, while assisted by the counsels of your former as well as your present advisers, without reference to the policy of either.

While we sincerely hope that the tranquillity of the city is now substantially restored, we feel it our duty to assure your Excellency of our cordial support of any measure which your Excellency may find it necessary to take for the preservation of the public peace, and we pledge ourselves to make good any expense that your Excellency may have found it necessary, or may yet find it necessary, to incur for the accomplishment of that object.

Mr. Wilson moved, in amendment, That an humble Address be presented to his Excellency,

to express that,—We, the Commons of Canada in Parliament assembled, beg to assure his Excellency of our undiminished devotion and attachment to our Most Gracious Sovereign and the Crown of Great Britain, and of the respect due to Her Majesty's Representative in this portion of Her Majesty's dominions.

That this city has been the scene of violence and outrage of a most deplorable and frightful character; the public records of the province and the parliament buildings have been burned by lawless men, private property destroyed, and serious injuries inflicted on several peaceable and loyal citizens.

That this House desires to express unanimously its abhorrence and indignation at such outrageous and lawless acts, destruction to the peace of society, order, and good government.

That this House is prepared by every constitutional means to aid the Government in the suppression of violence, the restoration of order, and to assert the supremacy of the law.

Yeas :—Messrs. Badgley, Boulton of Toronto, Cayley, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Papineau, Robinson, Seymour, Sherwood of Brockville, Sherwood of Toronto, Smith of Frontenac, Stevenson, and Wilson.—17.

Nays :—Messrs. Attorney-General Baldwin, Beaubien, Bell, Bolton of Norfolk, Boutillier, Burritt, Cameron of Kent, Cartier, Cauchon, Chauveau, Davignon, De Witt, Duchesnay, Dumas, Fergusson, Flint, Fortier, Fournier, Fourquin, Guillet, Holmes, La Terrière, Laurin, Lemieux, Marquis, McFarland, Merritt, Methot, Morrison, Nelson, Notman, Polette, Price, Sauvageau, Smith of Durham, Smith of Wentworth, Taché, Thompson, Viger, Watts, and Wetenhall.—42.

Hon. Mr. Sherwood moved, That the further consideration of the main motion be postponed until Monday next.

Yeas :—Messrs. Badgley, Boulton of Toronto, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Robinson, Seymour, Sherwood of Brockville, Sherwood of Toronto, Smith of Frontenac, and Stevenson.—14.

Nays :—Messrs. Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boulton of Norfolk, Boutillier, Cameron of Kent, Cartier, Chabot, Chauveau, Davignon, De Witt, Solicitor-General Drummond, Duchesnay, Dumas, Fergusson, Fortier, Fournier, Fourquin, Guillet, Hincks, La Terrière, Laurin, Lemieux, Marquis, McFarland, Merritt, Méthot, Morrison, Nelson, Notman, Polette, Price, Smith of Wentworth, Taché, Thompson, Viger, and Wetenhall.—38.

Mr. Galt moved, in amendment to the main motion, That this House have viewed with the most profound regret the disturbance of the public peace in the city of Montreal during the last three days, and which has resulted in the destruction of the Parliament building, with the archives and library, the destruction of much private property, and injury to the persons of Her Majesty's subjects.

That this House considers it their first duty to tender to the Government their assurance that nothing shall be wanting on their part to restore public tranquillity, and that they are ready to make provision for any measures judged necessary to protect the lives and property of Her Majesty's subjects.

That whilst this House are of opinion that the restoration of peace is the first object to be achieved, they consider that they should be wanting in their duty to the country if they did not express their opinion, that to the advice of the present Executive Government, in recommending his Excellency to assent to the Rebellion Losses Bill, and to the manner in which that assent was given, is to be attributed the disturbances which have resulted so disastrously for the honour and prosperity of this province; and that this House, fully recognising the constitutional principle that the Administration are to be held responsible for all acts of the Government, desire to express to his Excellency their sincere regret that his advisers should have taken that course which has caused insults to be offered to the representative of Her Most Gracious Majesty in this province, as well as to this House, which are calculated to diminish the respect of the people for the constitution under which they live.

Yeas :—Messrs. Badgley, Boulton of Toronto, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Robinson, Seymour, Sherwood of Brockville, Sherwood of Toronto, Smith of Frontenac, and Stevenson.—14.

Nays :—Messrs. Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boulton of Norfolk, Boutillier, Cameron of Kent, Cartier, Cauchon, Chabot, Chauveau, Davignon, De Witt, Solicitor-General Drummond, Duchesnay, Dumas, Fergusson, Fournier, Fourquin, Hincks, Holmes, La Terrière, Lemieux, Marquis, McFarland, Merritt, Nelson, Notman, Papineau, Polette, Price, Smith of Wentworth, Taché, Thompson, Viger, Watts, and Wetenhall.—37.

The question being then put upon the main motion, the House divided thereon, and it was carried in the affirmative.

Yeas :—Messrs. Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boulton of Norfolk, Boutillier, Cameron of Kent, Cartier, Cauchon, Chabot, Chauveau, Davignon, De Witt, Solicitor-General Drummond, Duchesnay, Dumas, Fergusson, Fournier, Fourquin, Hincks, Holmes, La Terrière, Lemieux, Marquis, McFarland, Merritt, Nelson, Notman, Polette, Price, Smith of Wentworth, Taché, Thompson, Viger, Watts, and Wetenhall.—36.

Nays :—Messrs. Badgley, Boulton of Toronto, Cayley, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Papineau, Robinson, Seymour, Sherwood of Toronto, Smith of Frontenac, and Stevenson.—16.

A Committee was then appointed to prepare the Address.

Hon. Mr. Boulton, from the Committee to prepare an Address in accordance with the

foregoing resolution, reported the draft of an Address, which was agreed to, and ordered to be engrossed.

Ordered—That such members of this House as are of the Honourable the Executive Council of this province do wait upon his Excellency, to know when he will be pleased to receive this House with its Address.

Sir A. N. MacNab introduced a Bill to incorporate the Hamilton Mercantile Library Association; second reading next Thursday.

Hon. Mr. Boulton introduced a Bill to exempt naval and military officers, and others on duty on Her Majesty's service, from the payment of toll upon any turnpike road in this province; second reading Monday next.

The Orders of the Day were postponed till Monday next.

The House then adjourned till 10 A.M., on Monday next.

Enclosure 4.

EXTRACT from the "Pilot and Journal of Commerce," dated Montreal, April 30, 1849.

House of Assembly, Friday, April 27.

At the sitting of the House in the Bonsecours Market, *Mr. Baldwin* rose and moved that the House do adjourn till to-morrow (this day) at 10 o'clock.

On the motion being put from the chair, *Mr. Papineau* rose and said he desired to know if the Administration did not conceive it necessary to ask the House for some counsel or some additional power, so that the authority of the law might be made known and properly supported. He thought something of this sort was required, for not only had the House of Parliament been burned, but only last night other occurrences of a similar nature had taken place. Something should certainly be attempted to prevent these outrages on the law and violences on the citizens. If Ministers asked nothing the House had nothing to offer; but if they wanted additional powers to make the law respected let them demand them. If not it would only make the responsibility which now weighed upon them still more grave.

Dr. Laterrriere made a few remarks which we did not catch, owing to the echo in the roof, and the fact that the honourable member's back was turned towards us. We understood him to urge the propriety of adopting energetic measures to repress the popular *emeute*, and of removing the seat of Government from Montreal to Quebec.

Colonel Gully said there were occasions when it was difficult to say anything from fear of being misrepresented, and almost more dangerous to say nothing lest your silence should be misrepresented. In spite, therefore, of any ruffianism which might occur, as it had occurred, he would make a few observations. All the disturbances, then, which had taken place during the last 48 hours had arisen from the carrying out of the principle of yielding to the masses—a principle, which he, as a Conservative, complained of, as being too frequently inculcated, by honourable gentlemen opposite. The fact was that in this country the last thing you inquire into in appointing men to office was their fitness. Facility of temper, suppleness of the dorsal column, had a tendency to adhere to the maxims of *McSycophant*—these were the recommendations sought. *McSycophant's* directions was to boo to a great man; and when you booed it was necessary to boo so much the more low, in proportion as the great man had once been a little man. Men were elected to office in the same manner, because they were good, kind, amiable people, though they might be either incompetent or incapable. For his own part he never knew a man universally beloved, who was good for anything, either bodily or mentally. Sometimes, too, elections were carried because a man had collected a great mass of money, or because he had got many sons-in-law, or brothers-in-law. Now, to what cause was to be imputed the burnings of the two last nights? Just to the incompetence and incapacity of the mayor—a mayor chosen out of three persons, all equally incompetent. He saw a smile of dissent on the face of the honorable member for St. Maurice; but he asked seriously, what else was required on a recent occasion than energy, activity, some knowledge of human nature, and a little foresight? Was it not to be anticipated that rightly or wrongly there would be some outbreak? And was it not the duty of the chief officer of the city to take occasion to restrain any undue expression of public feeling? But what was the result, the chief public functionary, charged with the good government of the city, took it into his head to fall asleep.

Mr. Baldwin here rose and put it to the honorable member, whether, in the present state of the city, it was desirable to enter upon these subjects; no doubt an opportunity would occur, when they would properly come before the House.

Mr. Gully declared that he entertained the highest personal respect for the honorable member opposite. In deference to his wishes, therefore, he would forbear further remarks; but would of course resume the right to make what observations he thought necessary on a future occasion.

The House then adjourned.

Saturday's Debate.

A quorum of members being present at ten o'clock, the Speaker took the chair.

Mr. Baldwin stated, that as the Committee appointed to look after the Bills pending before the House had not yet been able to do anything, he would move the postponement of the orders of the day.

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Mr. Boulton (Norfolk) hoped the honorable member would consent to withdraw his motion for the present, to enable him to move certain resolutions with reference to the unfortunate circumstances which had occurred during the last few days. He thought it was the duty of every man who had any regard for the institutions of his country not to remain silent, but to express his opinions freely and openly. He (*Mr. Boulton*) felt sure that there was not a man who heard him speak that did not deeply deplore one, at all events, of the circumstances to which he alluded, viz., the destruction of the Parliament buildings, and those splendid libraries that never could be replaced. But he, for one, did not look upon the destruction of the libraries and the Parliament House with the same degree of deep regret that he did the destruction of that sacred feeling that ought to imbue the heart of every British subject—he meant the feeling of respect to the constituted authorities: it was the destruction of the ark of the covenant; it was the destruction of that prestige, that strong feeling, which, up to the period of these unfortunate occurrences, he had hoped and believed actually pervaded the heart, the soul, and mind of every member of the British nation, and the people connected with it in the remotest degree—the sanctity of the law. What did the attack on the Parliament House mean? Did it mean a mere attack upon the sticks and stones—the destruction of mute property? If it were but the destruction of mute property, the very walls might cry out against such conduct; but the greatest evil that has been done to the country was the example set to British subjects all over the world, and the lie that had been given to our proud boast, that of all the colonies planted on the face of the earth the British colonies alone know the value and importance of constitutional self-government. He looked upon the disaster which had occurred—the violation of the sanctity of British law and constitutional rights, and the appeal through the constitution to brute force, giving the lie to the proud boast which was to be found in the historical records of our whole colonial empire—as the greatest misfortune which could have befallen the country. An attempt to intimidate the Legislature, to prevent it from expressing its opinions fearlessly and openly, and carrying out those opinions in a constitutional manner, was a grievous harm to the body politic, and one that it would take years, aye, ages, to cure. It must be a matter of the deepest affliction to every man who stood upon the floor of the House as a constitutional representative of his country, to feel that the assault that had been made upon the sanctity of Parliament had destroyed to a certain extent, that prestige of public opinion which ought to rest on the head of all those who were authorized by their country to represent their wishes. It mattered not whether the conduct of Parliament be right or wrong, he cared not how wrong the proceedings of Parliament might appear to any portion of the people, but the question was—Was this the way in which British subjects should show their displeasure, even if a large portion of those people were disgusted with the proceedings of Parliament? He did not deny that people so situated had a perfect right to disapprove of the proceedings of Parliament in a proper, legal, and constitutional manner, and use every constitutional means in their power to defeat the end which Parliament might have in view; but was this a constitutional manner? Would any member justify such conduct, to mob the legislature, break it open, and sacrilegiously destroy the Parliament buildings, and endeavour to intimidate the representatives of the people from expressing fearlessly and honestly what they believed to be their duty to their country? He (*Mr. Boulton*) would, as long as he stood upon the floor of the House, express his opinion fearlessly and openly, through evil report and through good report, whatever might be the consequence. No intimidation had ever frightened him out of the expression of his opinion during half a century of his life; and he would not disgrace himself or his family by the few years he had yet to live by yielding to what might be called public opinion. He stood on the floor of the House as an independent member, and as such he would honestly and fearlessly express his opinion, whatever might be the consequences. The only way in which the House could relieve itself from its being apprehended that any honourable member on either side could countenance, excuse, or in the smallest degree palliate the acts they deplored, was by unanimously giving the stamp of their disapprobation to an act so disgraceful, so injurious to our constitution, and so destructive of the best rights of Englishmen. In using the word Englishmen, he applied it to all his fellow-subjects, without distinction of race or origin. It was, therefore, their duty to express freely, distinctly, and without equivocation, what their feelings and sentiments were upon this very momentous and important subject—a subject of more importance than ten Rebellion Losses Bills, or any other Bill that ever had or could be brought before Parliament, as an attack had been made upon the very constitution under which they lived. For what purpose had the attack been made upon the Legislature? Was it not done for the express and undoubted object of intimidating the members and the Government, and causing an abdication of the power which the constitution of the country had selected them to carry out? It was an attempt to compel the Government to abdicate its power. Such an event as this had never occurred in Europe, even during the last 18 months. He had himself seen the Legislature of France guarded by soldiers, but he never before saw such a thing in Great Britain, or in any part of the British colonies. It was the first time he had ever seen a necessity for a British Legislature to be guarded by a regiment of Her Majesty's troops against aggressions made in the name of loyalty. It was grievous to think that under any circumstances the prestige, the moral influence of a Legislature could not be sustained—could not be respected—unless it was sustained by the physical force of the bayonet. What was it that enabled the officer to control the movements of those under his command? It was not the physical power which he possessed of directing them, but it was the moral power which authority, properly constituted, gave him; and so it was with the House. It was dastardly mean, and beneath the dignity of any man to have it supposed that, because they had been driven from their posts, and compelled to retire from the halls of their deliberation, there was any

credit due to those who had overpowered by force, those who ought to have had that moral influence over them which they had so outrageously overthrown. The people who had perpetrated this outrage would, upon mature reflection, feel that they had inflicted a stain on the constitution of the country more dangerous to their own rights than anything that had ever occurred in British North America. The persons who were dissatisfied with this measure might have a perfect right to petition the head of the Government to withhold his assent from it, but honourable members ought to reflect upon the unconstitutionality—if he might use the expression—of endeavouring to induce the Queen's representative from giving his assent in Her Majesty's name to any Act which should have passed both Houses of Parliament. Had such a thing been done for the last two centuries in the parent state? And had we not flattered ourselves that we possessed a transcript of the British Constitution? Had we not flattered ourselves that, as far as our local affairs, at least, were concerned, we were an independent community—that we had an independent Government of our own, and that the Sovereign permitted us to control our own local affairs? But what became of those rights and privileges, if a portion of our fellow-subjects turned round upon us in this manner when they disapproved of what had been done? What was it but to proclaim to the world that we were not fit to be trusted with constitutional power, that we had not intelligence and integrity sufficient to carry out such a system? He thought, therefore, that hon. members on both sides of the House ought to express strongly and firmly their deprecation of the principle which this attempt would seem to sanctify, an attempt to control by these means the voice of the Legislature. It was stamping an indelible and lasting disgrace and discredit upon the country and the constitution, and on the entire people, to whichever side of politics they might belong. He was not now speaking politically, but constitutionally; he cared not, for the purpose of his argument, whether the acts of the Government were good or bad. The most corrupt and improper system of Government that could be carried out by a corrupt Government, supported by a corrupt Parliament, ought not to be put down by physical force, or controlled by any but a constitutional appeal to the people; but an appeal to a higher power—to the Queen—was doing an injustice to the constitution of the country. The attempt now being made—and he spoke without any bitterness, he looked at it in a constitutional point of view—was a suicidal act on the part of men whom he believed to be loyal at heart, although their speeches might have excited the people to commit acts which they now deplored. He warned honourable members and the entire people of Canada to beware how they set the example of appealing to the Sovereign to revoke the Acts of the Legislature of the province, after they had been solemnly sanctioned by a large majority of the Legislature, and assented to by the representative of the Queen. It was, he repeated, a suicidal act on the part of any man to make use of the power which he possessed to petition the Queen against any measure that might have been passed by the Parliament of the province, for this reason, that it was an appeal from the voice of the people of the country, constitutionally expressed. The only proper appeal was to the people at the hustings. He would rather that the House should be dissolved before sunset, and an appeal made to the people at the hustings, whether or not they approved of the conduct of their representatives, even though that appeal should result in his own exclusion from public life, than that an appeal should be made across the Atlantic. If the Sovereign, acting under the advice of her constitutional advisers, should think proper to veto this Bill—he was not speaking in favour of or against the Bill, he said nothing of the merits of the measure—it would influence the country for years, perhaps for ages. An appeal to the British Government, in a case like this, was an appeal against the principles of the Constitution, which both sides of the House had acted upon and recognized as the basis of our civil and religious liberty. If it was to be done on the present occasion, what was to prevent its being done on another occasion? He threw it out for the consideration of all honourable members, that in attempting to go past our own constitution, our own Legislature, they were stamping an indelible stain on the constitution of our own country, which they themselves might see cause, at some future time, to regret; for what could be done on the present occasion could be done at some future period when the opposite political party were in power, and the same condition of things would exist as existed and was complained of in former times. He had already extended his observations too far, and would not longer trespass on the time of the House. He had endeavoured to speak calmly and without excitement, and to keep his passions under the control of reason. He would now beg leave to move that the rules of the House be suspended as far as related to giving notice, so as to enable him to move an address to his Excellency expressive of sentiments, in which he believed honourable members of all parties would most cordially, heartily, and cheerfully unite. The address he intended to move was as follows:—

MAY IT PLEASE YOUR EXCELLENCY:

WE, Her Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, have witnessed with feelings of deep sorrow and indignation, the proceedings of a mob of riotous and disorderly inhabitants of this city, who, in a time of profound peace and tranquillity, have committed several wanton and disgraceful outrages, as well upon persons as property, the most prominent of which is the destruction of the building occupied by the two Houses of Parliament. At such a moment of excitement, we feel it to be due to ourselves and our constituents to assure your Excellency of the devoted loyalty and attachment of the people of Canada to the person and Government of our beloved Sovereign, and of their earnest desire to preserve the connexion with the Parent State.

We further beg leave to express to your Excellency our deep sense of the justice and impartiality which has uniformly characterized the constitutional government of your Excellency,

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while assisted by the counsels of your former as well as your present advisers, without reference to the policy of either.

While we sincerely hope that the tranquillity of the city is now substantially restored, we feel it our duty to assure your Excellency of our cordial support of any measure which your Excellency may find it necessary to take for the preservation of the public peace, and we pledge ourselves to make good any expense that your Excellency may have found it necessary, or may yet find it necessary, to incur for the accomplishment of that object.

Mr. Baldwin having consented to withdraw his motion, *Mr. Wilson* seconded the address.

Sir Allan MacNab rose to a point of order. The manner in which this motion was introduced was quite in accordance with the previous proceedings of the majority; but, fortunately for the minority, there were rules of the House to prevent their being taken by surprise in this manner; and, fortunately, they had a Speaker who would see those rules respected. He had no objection to meet this question fairly and fully, but he did not choose to be taken by surprise in this manner. The honourable member might give this as a notice; but if it was objected to, it could not be put without notice. He was not prepared to meet this question to-day; he had not expected it; he had expected to hear from the head of the Government, whom he had not seen in his place since the night of the conflagration, something concerning the state of the city, and the means which had been taken to provide for the restoration of tranquillity; but he did not expect they would employ the honourable member for Norfolk indirectly to forestall the judgment of the House before discussion had taken place. He (*Sir Allan*) was not prepared to say that the city was in a state of tranquillity, when only last night two men were shot and wounded in the streets. He was prepared to go all lengths to aid the Government in restoring peace, but he could not vote for a motion like this, and he objected to it as being out of order.

The Speaker said that it was true that there was a rule requiring a day's notice, but that it had been the constant practice of the House to dispense with that rule when they had thought it advisable.

Mr. Gugsy contrasted the conduct of the Attorney-General, in withdrawing his motion, to make way for the honourable member for Norfolk's address, with the manner in which he had interrupted him (*Mr. Gugsy*) on the previous day. He was also prepared to go to all lengths to aid in maintaining peace and tranquillity, but he could not consent to an address brought forward in such a surreptitious manner, to entrap the House into an expression of approbation of the conduct of the Ministry. The honourable member talked of the peace of the city being restored, when they were on the eve of seeing not the town only, but the whole country deluged in blood. He (*Mr. Gugsy*) said he would review a few of the acts of the chief magistrate and the acts of the Ministry in order to show to the country their incompetency, and that they had been themselves the means of bringing on the state of things which now existed, and had neglected to take the proper steps to allay the excitement attendant on the sanctioning of the measure. He protested against the imprisonment of the persons the Government had sent to jail, and the arming of constables, as an act which, in his opinion, was both illegal and impolitic, and as tending to rouse the British population to acts which might yet be regretted, and which might end in bloodshed. Arms had been given to parties who, in order to see how their pistol would fire, and how their swords would cut, had shed blood. And yet these were the times of peace and tranquillity the honourable member for Norfolk had spoken of. It was not by such acts that peace was to be restored. It was through the moral influence of the courts of law and justice, administered as they ought to be, with strict impartiality, that peace would be restored; but respecting the imprisonment of the men he had alluded to, and who had been so imprisoned on a charge of arson, there were more than doubts as to the legality of the proceeding. When that charge had been prepared, it was placed in the hands of the police magistrate, and in carrying out the proceedings he had refused to take the assistance of other magistrates; and he (*Colonel Gugsy*) believed the police magistrate acted under the advice of the honourable Attorneys-General east and west; and the result had been that they had been taken to the common gaol in a most unjustifiable manner. From these persons, who were unknown to him, he had received a letter, which they requested him to read to the House, or make use of in other way that he thought proper, and he would take the liberty of reading it. The honourable member then read a letter signed by Messrs. Mack, Ferres, Montgomerie, and Heward, in which was detailed the proceedings attendant on their arrest and committal to gaol, and which proceedings they held to be illegal, from the manner in which the examination had been conducted, and from the refusal of Colonel Ermatinger to let them have a copy of the depositions taken on the occasion, those depositions being taken without the prisoners being present. The honourable gentleman said that the facts detailed in that letter being true, he condemned the proceedings. He (*Colonel Gugsy*) and other magistrates were present at the Court-house during the morning these persons were brought up on the charge of arson, in order to give their assistance to the police magistrate, but such assistance was refused. In order to have done away with the feeling that unfairness was to be practised, he thought the police magistrate ought to have taken the assistance of some of his brother magistrates, if not belonging to his (*Colonel Gugsy's*) side of politics, at all events to those of honourable gentlemen on the other side of the House; but this was not done; and when he saw his assistance refused, he left the place with feelings of disgust at the proceedings. He wished the proceedings against them brought to a point, when they could either be bailed out, or have the benefit of the Habeas Corpus Act; and if this was not done, and the men were still to be kept in prison, he would charge the Government with keeping up the excitement which now prevailed. If the rules of the House were to be suspended, he might, in the course of the day, move a resolution respecting the conduct of the

police magistrate in the matter he had spoken of. The honourable gentleman then brought up the case of Mr. Perry, who had also been arrested, and from whom Colonel Guly had received a letter also detailing the manner in which he had been arrested, and who was in prison. The honourable member read this letter also, and then urged on the Administration, if they wished to allay the excitement in the public mind, that some steps should be taken to get these men either liberated on bail or otherwise; or, if they were guilty, to have them fully committed.

Mr. Wilson said that every honourable member in the House knew that he had from the first deprecated the unfortunate occurrence of a former evening, and he had spoken his sentiments on the occasion adversely; he had held no communication with any person whatever; he had retired from the excitement that prevailed, and had looked at this as a great constitutional question apart from the excitement of the moment. He had declared at once that he would array himself on the side of peace and order, and the honourable members on his side of the House had all declared the same thing. He had acted on this principle up to the present moment; he had spoken to hardly an individual in the House or in the city; he had secluded himself and looked calmly on at what was passing, and he spoke and acted not as being in the presence of the population of Montreal, but as in the presence of all time to come. He was opposed to responsible government in the first instance, because he did not suppose that we were yet fit for responsible government; he was sincere in that belief, and he opposed responsible government as warmly as he could oppose anything which could come before the House. But when that system of government was conceded, he must as sincerely and determinately set about carrying it out. He had not thought that a mere transcript of the British Constitution could be applied to this province in its present state, yet when that principle was conceded he was prepared to carry it out and wished now to carry it out, and he would endeavour to apply its principles to this question. According to responsible government, if the elections were fairly conducted, and he believed there was no charge that they were unfairly carried at the last election, because the gentlemen who were now the opposition had the power in their own hands at the time the elections took place. The elections were carried fairly enough, and the opinion of the country was fairly taken on all the questions submitted. He (Mr. Wilson) was surprised at the result of the elections, but nevertheless, the power had been constitutionally placed in the hands of the gentlemen opposite. If responsible government was to be carried out in its spirit, the Governor-General was, in all good faith, pledged to be advised by the gentlemen opposite, so long as they had the power and were supported as they were by the country. They had, in virtue of that support, the right to carry on the Government, and to advise his Excellency to give his assent to any measure they thought expedient, and his Excellency was bound to follow their advice, constitutionally given, and to exercise his right in a constitutional way in accordance with that advice, and the House and the country were bound to submit to it until their principles and conduct should meet with the disapprobation of the majority of the people. Such was his idea of responsible government. Now, he would apply this principle to the present case. Here was a measure, which, whether expedient or inexpedient, was introduced into the House and carried by the House after it had been fully and fairly debated; it was then carried to the other House, and passed that House also. Now he (Mr. Wilson) held that his Excellency was bound to give his assent to a measure which had thus passed both Houses without any reference to the Government at home, if he thought proper to do so. When he assented to it, that moment it became law, and that moment it became the duty of every man quietly to submit to it, so long as it existed as a law. To oppose it after it became law by force, as a principle, was rebellion; to oppose it by a resort to violence, as a popular demonstration, was madness. But let honourable gentlemen look at it in another point of view. Suppose there should be a change, and the present opposition should come into power, as it was to be expected they would some time or other; was it anything more than just to give the ministry that fair play which they would expect for themselves when they occupied their places? Suppose the British party came into power—and he did not use the term in any offensive signification—and that some of their measures should be exceedingly offensive to the French population of Canada, would they have a right to say that the Governor should not give his assent if he pleased to a measure passed by large majorities in both branches of the legislature, would they consider that a right course? No! They would hold it to be a gross violation of the rights which had been conceded to us. He, for one, should consider, that any Governor acted against the principles of responsible government who refused to give his assent to a Bill passed by a constitutional majority of the legislature. On a local matter as this was, he did not entirely concur in the opposition that had been offered to the measures of the honourable gentlemen opposite. He thought it right that a decided and constitutional, but not a dilatory and violent, opposition should be offered to their measures; and if they introduced bad measures, the country would turn them out of their places in due time, and for that time the minority ought to wait. He need not repeat what he said on a former occasion, as it was fresh in the recollection of honourable members. He was willing to stand or fall now and henceforth by what he had said upon that occasion, because he thought that they were such views as would meet the approbation of thinking men when this excitement was over. It was right that he should explain to the honourable members on his side of the House the reasons which induced him to consent to second this motion; he would more readily have seconded the motion if it had come from any one but the honourable member for Norfolk. But this was no time to stand at personal considerations: this was the time to forget personal and political distinctions, and join in maintaining the honour, integrity, and civilization of the country. He had said before that the occurrences

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of the other night were a stain and disgrace on the history of the province, and the longer they thought of it, the more deeply would they perceive and feel the stain. He would not say a word to excite warm feeling, because he deprecated it. He was sincere when he said that he had arrayed himself on the side of peace and order. He hoped honourable members near him were as sincere when they made the same declaration. He thought if all honourable members had acted with as much sincerity as he did, peace would have been restored before now. He, for one, deprecated the stoppage of public business; it was bad enough to have been turned out of the House in the barbarous manner they had been, but it would be a thousand times worse if it went abroad that a better class mob, sustained by the connivance at least of a yet better class, who, if there was anything in their professions, should have shown a better example, should interrupt—and that they themselves should be in such a state of ferment as not to be able to proceed with the business of the country. There were some measures of little importance which ought to be put off; but the great measures by which the ministry were to stand or fall ought to be proceeded with, so that the country could judge of the honourable gentlemen opposite by their measures, and say whether or not they should retain their places. He should not longer detain the House, but it was due to the country to explain the principles, and to announce the constitutional working of responsible government in the midst of this excitement. He hoped that members on both sides of the house were in favour of peace, and he thought there would be no objection to an address simply in favour of peace and tranquillity without discussing exciting questions which could well be postponed, and ought to be subjects for future discussion.

Mr. Badgley said, that there was no honourable member more desirous than himself of keeping peace, and more determined not to be prevented from the open and fearless expression of his opinion by any intimidation or threat. The honourable member for Sherbrooke had alluded to certain individuals who were in confinement; he (Mr. B.) must state distinctly that he thought the detention of these gentlemen in confinement was most impolitic and unjustifiable; the sitting magistrate declared that there was sufficient in the affidavits to justify him in committing the prisoners, and he ought therefore to have committed them. He believed that the great cause of the continuance of the disturbance was the detention of these men without their having been committed. The honourable member for Norfolk complained of the presence of the soldiers in the building; but who put them there? Who asked for them? Had any member been prevented from the performance of his duty so as to render necessary the presence of bayonets? It was true some members of the House had been grossly outraged by a crowd collected in front of the government house; but why were not these people driven away and prevented from assembling. The law gave sufficient power to the authorities; why was not that power employed? He (Mr. B.) cared not for mobs, or for bodies of armed men: he came there to perform his duty, and he would perform it fearlessly and boldly. The honourable member for Norfolk said that it was unconstitutional to petition the Queen.

Mr. Boulton denied that he had said it was unconstitutional; he had said that they had a right to petition, but he had asked if it was not tacitly destroying the system of responsible government.

Mr. Badgley continued.—Did the honourable member mean to deny that it was the right and privilege of every subject to address his Queen, when the occasion called for it, in a proper manner? Was he to be told that the inhabitants of a British province had not a right to appeal to the British Sovereign for protection. He believed the honourable member would not repeat such an assertion, which was an insult to the British population of the province. He (Mr. Badgley) was prepared to do anything—to risk his life if need be—in maintaining the peace of the city, and was prepared to give the Government every assistance with his heart and hand; but he would not be cajoled into the expression of an opinion like this without due time for consideration. He would resist any attempt like this to put down the minority.

Mr. Baldwin rose to explain why he did not object to this resolution, whilst he had objected to the honourable member for Sherbrooke speaking on the preceding morning. He deprecated yesterday, and he still deprecated, any discussion for the present of the recent calamitous occurrences. When the proper time arrived he should, he hoped, be able to justify the course the Government had adopted; but this address expressed, and was intended to express, no opinion concerning the conduct of the Government. It was simply a declaration of the determination of the House to support the head of the Government in the preservation of the public order. The honourable member for Sherbrooke had read certain letters, and alluded to the treatment of the parties who had been arrested. He was not aware of any attempt to deal with those parties contrary to the ordinary course of the administration of justice: there was not and could not be any such desire on the part of the Government. He was not, of course, minutely acquainted with the steps taken by the magistrates. Any delay in the examination had been caused by the excited state of the town yesterday; but the proceedings were in progress, and he doubted not that the accused were by this time either discharged or committed.

Sir Allan MacNab desired to assure the honourable member of his readiness to support Her Majesty's ministers in an assurance to his Excellency the Governor-General, that the House would unite with the Government and himself in any measure for the security of the public peace. Every member of the House, he felt sure, was prepared to vote for it. He (Sir Allan) would be proud of an opportunity of seconding such an address; but if the honourable gentleman supposed that they were to be drawn into the adoption of an address like that proposed, without any notice or time for consideration, he was asking too much. The honourable members opposite might, doubtless, have their views of the unfortunate occurrences which they all deplored so

much, but they must allow the opposition to hold different opinions, and give them time to express them. They might be prepared to charge the Government with great neglect—with being the cause of all this,—and why should they not have an opportunity of doing it? But, at the same time, if the Government desired their support to maintain peace and tranquillity in this city, and in the province, they were prepared to give it, but would oppose them upon those points on which they thought they were wrong by every constitutional means. The honourable and gallant knight then read the proposed address, and commented on it. He denied that at the time this occurrence took place, the province was in a state of "profound peace and tranquillity." The greatest excitement prevailed at the time; the province was shaken to its very centre; the province never was in such a state of excitement. Let them strike out that clause if they wished the address to be unanimous. In their attachment to the British Crown they must all agree. He (Sir Allan) treated with the most profound contempt the idea that had been industriously circulated throughout this country of annexation to the United States. He was prepared to lay down his life on the scaffold or on the field to maintain the connexion with Great Britain. (Mr. Notman.—How about the Hamilton "Spectator?") What had he to do with the Hamilton "Spectator? The articles on annexation in the "Spectator" emanated from a man who entertained the same opinions as the honourable member himself, (Name name.) Did any honourable member mean to say that he (Sir Allan) adopted the opinion of any man who wrote in the Hamilton "Spectator" in favour of annexation? Had not the same opinions been advanced in the "Journal and Express," and other papers throughout the province? But he would state publicly, and before the country, that he had no community of feeling with the men who entertained those opinions. The whole course of his life showed his attachment to British connexion, and he was prepared at all times and in every place, to unite with every good man in putting down such opinions, and defending our connexion with the Mother Country. He had been warm during the present session, and he had reason to be warm, but he knew of no vote that he had ever given in the House that he would not give again; he defied honourable members to point to a single vote recorded that they could bring up, that he would not readily give again, neither had he said anything offensive of any honourable member; he had only repelled attacks made upon himself. He objected to the expression of unbounded confidence in his Excellency; he (Sir Allan) had not such an exalted opinion of his Excellency, with whom he had but very slight personal acquaintance, and he did not think the Government ought to ask them to commit themselves. All they had a right to ask was, that they should unite for the preservation of peace and order, and they could not point to any constitutional mode of doing that in which the opposition would not concur, but they were not prepared to go as far as the Ministry wished. They might have acted according to the dictates of their conscience, but he (Sir Allan) had his own opinion of their conduct. It was absurd to say that the peace of the city was restored. Good God! were they prepared to say that peace was restored when bayonets were bristling at every corner, when armed mobs were parading the streets, when there had been assemblages of the people last evening, and again he was told at seven o'clock this morning, and when only last evening two men had been wounded with shot! He thought, too, they ought to be more guarded in the powers they gave to the Governor; he would do a great deal, but he was not prepared to go as far as the address proposed. If the address was restricted so as merely to assure the Governor of their determination to support the Government in maintaining the peace and tranquillity of the country, he was prepared to vote for it; but if it was to be pressed with the objectionable clauses in it, he was prepared to call upon the Speaker to protect the minority by enforcing the rules of the House.

Mr. Notman said that he had great difficulty in rising to address the House. No man living under the protection of the British flag could have anticipated that an outrage so atrocious and unparalleled could be committed in the province of Canada, and in a city of such intelligence, wealth, and liberality. We could no longer point the finger of derision to a neighbouring country and appeal to the lawless aggression there, and the trampling under foot of the laws of the land; the damning charge would be brought against us, that here the majesty of the law had been outraged, and that protection which England extends to the meanest of her subjects, denied to the representatives of the people. Where before, in a British colony, had the sacred character of the representative of Her Majesty been insulted by hootings and hissings? Where had the representatives of the people been compelled to debate under the protection of an armed soldiery, and been insulted and outraged in their persons? How could the honourable member for Missisquoi ask if any honourable member of the House had been insulted or prevented from attending to his duties? If the honourable member had enjoyed the protection to which every British subject had a right, members on his (Mr. Notman's) side of the House had not; but several of them had been grossly insulted within the last twenty-four hours. We have the essence of the British constitution at last conceded to us, after a struggle of many years on the part of those with whom he acted; even their opponents had now acquiesced in it, and they were endeavouring to carry it out; but because the House in its wisdom had passed an Act which did not meet with the approbation of the minority, these lamentable occurrences had taken place. He would ask if that bill was not constitutionally opposed through both branches of the legislature, and after being well and fully debated, and receiving the sanction of both Houses, it became constitutionally, according to the system of our government, the law of the land? and were they to be told that because this Bill gave dissatisfaction to a portion of the inhabitants of Montreal, they were to arrogate to themselves the power of setting all law at defiance? was the House to be insulted, the people of Canada insulted, aye the very constitution in which we gloried to be trampled under foot, by those who were unworthy to live under the British constitution? He (Mr. Notman) had not said a word on the Rebellion Losses Bill; he had listened to the debate on both sides, and he came

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to the conclusion that the Bill was one that ought to be supported; he did not regret the vote he gave upon that occasion, because he thought it was just, and proper and equitable that those who had sustained just losses in Lower Canada should be paid as well as those in Upper Canada. At the time of the disturbances in 1837, when the connexion with Great Britain was threatened, he (Mr. Notman) turned out under the gallant knight from Hamilton, for the purpose of maintaining that connexion, and whenever the question of separation should arise in this country, he would be found as in 1836 and 1837, decidedly opposed to it. He had no wish to discuss the question whether the Ministry should have provided against the events of the 25th April. No one could have supposed that an attack of that kind was to be made on people engaged in the peaceable discharge of their duty. All had the right to exercise the liberty of opinion; but none to carry it to the extent of open violence against the law, and to the destruction of property. He felt that those who had countenanced these acts, would, when they had leisure, deeply repent them, and feel that the disgrace inflicted on the city was one that time could never efface. Why charge Ministers with neglect? The occurrence was the work of a moment: ten minutes only had honourable members left the building, when that building was in flames, before it was possible to obtain protection from the civil or military force. Had any man previously moved an adjournment on account of the danger, he would have been laughed at, and would have been told that we were living under the protection of British laws. Did the House suppose that that meeting was composed of the low rabble—of the scum of the city? Unfortunately there was reason to fear that it was got up by inducements from higher quarters, where such conduct was not looked for; from persons who never intended such a calamity; L... who got up the excitement under which that act was committed, which must be deplored by all well-ordered minds to the last moment of their lives. He did not mean to accuse the honourable member for Hamilton of any adhesion to the principles of annexation; but it was certain that papers published in the interest of the honourable member's party had argued in favour of it; and that the letters which had appeared in the "Hamilton Spectator" were written by a Mr. W. B. Wilson, a gentleman who always belonged to the Conservative party. If such aims could be accomplished, the colony would have passed from great to greater evils. We would be under a system of taxation that would be most burdensome; our influence would be but as a speck, instead of being as now a great colony favoured by England above all others, and protected from insult by her powerful arm. In the present deplorable condition of the city, he implored gentlemen to forgive and forget the little bickerings which might have passed in debate. The first business was to restore order; enough had already been done to ruin the credit of the province, and to destroy our character as a people, and this just at the commencement of a bright year, when the opening of the canals developed the most extensive navigation in the world, and when it was hoped that free navigation would bring the vessels of all nations to our harbours. He asked what consolation it would be, amidst the ruin of all these prospects, to remember that the streets of Montreal had been deluged in blood, when a united effort would have advanced the colony to the highest pitch of prosperity.

Mr. Gagy asked the Attorney-General West if it were the intention of the Government to allow the examination of the prisoners to proceed to its legitimate end? He spoke under a full sense of the responsibility which belonged to the declaration; but he thought he could take on himself to say that the peace of the city would be restored if the prisoners were either committed to trial or admitted to bail. Let the officer charged with their examination devote his entire attention to this business; and then, in the course of the day, the parties would be in a condition either to give bail or to apply to the justices of the Court of Queen's Bench for a *habeas corpus*.

Mr. Baldwin assured the honourable member that every endeavour would be used to expedite these proceedings.

Mr. Hincks also stated that the special constables who had been armed the preceding evening had been again disarmed.

Mr. Gagy expressed his satisfaction at both statements, and his firm belief that these measures would be followed by a speedy return of the city to its usual tranquil condition.

Mr. Boulton (Toronto) continuing the debate on the business before the House, declared his opinion, that the doctrines of responsible Government must be carried out in this colony; but when a Government assumed the broad ground that treason was to be paid, and rebellion to be rewarded, when the very basis of society was overturned, it was not to be wondered at if disturbances took place. [Here Mr. Gagy made some communication to the honourable member, who continued by expressing his desire not to say anything which might occasion excitement]. But he must ask, why members of the Government had gone to the telegraph office to prevent political messages from being conveyed, and had failed to prevent them. Now, if it were judged essentially necessary to prevent these communications, why did not Government ask in a way not to be refused? Messages were now pouring in from all parts of the country announcing that meetings were being held and enrolments taking place of men, who declared their determination that rebellion should not be rewarded, and that those who desired to do so, should be put down; this was also the feeling in England. A notice had arrived here in the "Army Despatch," which was known to express the views of the army, and especially of the noble Commander-in-Chief; and what did it say? Why, it declared that peace must be restored in Canada, and that the Governor-General must be driven out of the country.

Sir Allan MacNab did not understand that there was to be any discussion on the merits.

Mr. W. Boulton acted upon this hint, and concluded the observations which he was addressing to the House.

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Mr. Wilson said there would be a time when all the matters would be discussed; at present it was the desire of that side of the House to show a unanimous determination to maintain peace. It was for the benefit of the whole city that this resolution should be unanimous.

Mr. Cameron desired to carry an address such as had been carried unanimously in England on occasions like these. He was glad the honourable member for Hamilton had taken the occasion of declaring that he was opposed to annexation to the United States. He knew well that was the feeling of the gallant knight; but it could not be denied that the party which was supporting the honourable member out of doors openly expressed opinions favourable to that movement. For his own part, he had always been desirous of seeing responsible Government established; but when it was a question between the Government of Great Britain and that of the United States, he always desired to follow the footsteps of his father, who, for the last 16 years, had served the Crown in a regiment in which two members of that House had once been officers. He believed the British Government was the only one which had the self-regulating principle in full activity, and had therefore been willing to sustain much of what he thought injustice, while he awaited its establishment in its full spirit.

Mr. Papineau did not think this the moment for discussing the advantages of this or that form of Government. There were other concerns of more pressing interest; and he must declare that there was nothing more despicable than the feebleness and vacillation displayed by the Administration. Yet this was the moment when Government came forward and asked the House to approve of all the acts of the past and present Administration. For his own part, he thought the usual forms of this side of the House or that side should be dispensed with, and that honourable members should rise simultaneously, as legislatures had done in similar circumstances in France, and enthusiastically sustain any proposition which might have a tendency to re-establish order. This was not the time to attempt to surprise from the House a vote of confidence; it was rather their duty to attempt to restore the security of life and property, and of that respect which the citizens ought to feel for themselves. He knew that the honourable member for Hamilton desired this enthusiastically; for he had seen him on the night of the 25th maintain his place in the House of Parliament when it was no longer tenable, and knew that he had repeatedly thrown himself into the showers of stones, in order to attempt to exercise his influence with the crowd. After some further observations from the honourable member,

Mr. Sherwood expressed a hope that the vote would be so arranged that it might be unanimous.

Mr. Chauveau agreed with the honourable member for St. Maurice in the opinion that the first thing to be attended to was the re-establishment of order. He believed that for this purpose all the powers of the State would work harmoniously—the Civil Government, the Military Government, and all honest men. If the Military Government would not do its duty, it would be a new fact in English history.

Mr. Hincks, in some short observations, endeavoured to show that nothing had occurred previous to the night of the 25th, which could afford just ground for serious apprehension to the Government. The part of Ireland from which he came, Ulster, was known to be eminently loyal; yet there as violent language had been used with regard to the Rate-in-Aid Bill, as had been used in Montreal; the measure being one intended to tax property for the support of the poor. Yet no one would deny that the country was in a state of profound tranquillity merely on account of this constitutional agitation. The Earl of Londonderry, the largest proprietor in that country, was strongly opposed to this measure, as was also the Earl of Roden. Here the honourable member read some very violent language of the Earl of Roden, and concluded by asking whether there had been anything in Canada so calculated to excite alarm as language such as that?

Mr. Merritt said that measures had now been taken to secure tranquillity, and he thought there was no fear of further riot.

Mr. H. J. Boulton, in order to meet the views of the other side of the House, proposed to change the form of the address nearly as follows:—We, the Commons of Canada, beg leave humbly to approach your Excellency, and to assure your Excellency of our attachment to the person and government of our Most Gracious Sovereign and the British Crown, and of our respect for Her Majesty's representative. For three days this city has been the scene of violence and outrage of a deplorable character, the Houses of Parliament and the public records have been destroyed by lawless men; life, too, has been jeopardized and serious injury done to the private property of Her Majesty's loyal subjects. This House, therefore, desires to express its utter abhorrence of these lawless acts, so disturbing to the peace of society, and is prepared to aid the Government in every constitutional manner, in suppressing violence, restoring order, and asserting the supremacy of the law."

This form of the address did not appear to give perfect satisfaction, as the members of the Opposition assembled in knots to consult on its wording.

Mr. Baldwin, therefore, rose and said that if honourable members opposite were sincere in their desire to come to an unanimous vote, he would put it to them whether everything they could require was not conceded in the remodelled address.

Mr. Cauchon thought if the minority were not satisfied with the address, it would be better for them to vote their own. All sides were agreed as to these riots, but they differed on other points. It was said, for instance, that the country was agitated. The country was not agitated, though the city of Montreal was. The country was cool and ready to support the authority of the law; nor would it consent to be put down because a small minority said it should not have its wishes carried out. The credit of the country had been ruined for a long time by these outrages. It was scenes like these that kept capital from coming to the country, and it was not annexation that was required to remedy it, but the cessation of this constant

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and insane agitation, which would not be carried on if the people only regarded their own welfare, or the interests of their families and posterity.

Dr. Nelson, while he desired an unanimous vote, wished also that it should be one which should correctly express the opinion of the majority of the House; and he would, therefore, not wish anything to go abroad which might seem unfavourable to the Executive or to the head of the Government. He would mention one other subject before he sat down. He had yesterday received a letter from the most influential man in the county he represented, offering to bring the strength of that county to Montreal, if the unfortunate troubles there rendered it necessary. His honorable friend the member for Verchères had that day received a similar letter from the most influential man in that county. He contended that the whole of the rural population was well pleased with the ministry, and would sustain it. He condemned all ideas of annexation, and though he had lived in the United States, and entertained the very highest respect for the people there, he would consider it a great misfortune for Canada to join them.

Mr. Cayley remarked, that the day before ministers had told the House that they had taken proper precautions, and that peace would be preserved, but what had been done? Why last night the people heard 500 Canadians had been armed by the Government against their fellow citizens. Was that the way in which they proposed to keep the peace? Or was it not rather the way to excite the bitterest war of races? He feared that that was what the Administration intended; for, from the very beginning of the session to the present moment, every measure, every vote, had been calculated to force on such a calamity. He declared that the Administration had kept the Governor in ignorance of the true state of opinion in the country; they had, too, by writing letters to the Home Government, kept them in ignorance of what was going on, and had given out that the country was never more quiet or contented, when the country was in a state of profound agitation from one end to the other. And it was at this moment that the Government came forward to obtain a vote of confidence to bolster up their cause. The honorable member then read, with indignant comments, a letter signed "A Voltigeur," of which a translation from "La Minerve" had been published in the "Montreal Herald." The letter spoke of the people who had burned the Houses of Parliament as "a crowd of miscreants, belonging to a miserable faction, and a horde of scoundrels." It also called on all young Canadians to rally round the ministry, and "prove the implacable hatred they bore to those, whom to destroy, it is only required for us to will it," and "to assemble in companies of ten, and let the centurions report their lists to the Adjutant-General of Militia." It concluded with God save the Queen! Now who were these people—these armed special constables—called out to put down? Why, they were called out to put down a few boys, who had remained in the street after the men had gone home. But then having got the policemen, it was necessary that they should be protected, so the troops were called out to protect the policemen and their sabres. The country was not tranquil; it was in a state of civil war; the Governor-General had been insulted, and was a prisoner at Monklands, and either did not choose or did not dare to show himself in town. And how was all this brought about? It was brought about by the grossest neglect. When Ministers were told, subsequent to the assent of the Governor-General being given to the Bill, that violence was apprehended, why, he asked, were not proper precautions taken to control them? Because the same party which had carried that most obnoxious measure had shown in themselves the extremes of insolence and feebleness. Insults had been offered to every loyal man in the country, the whole city had been outraged and excited by the application of the most offensive term of "rebels" to them, and yet the men who were engaged in raising the tempest never thought for one moment of providing against its fury. He was wrong in saying that no thought had been taken, for the honourable Inspector-General had gone down to the police magistrate to obtain troops, but had found that some trouble and some time would be necessary, and had therefore refrained from his research. At any rate, ministers took no pains to stop the disorder; they left anything which might be done in that way to others, and no one knew where they were gone till after everything was over. Then it was discovered that they were in the Government House, and that they did not think themselves safe till they had obtained the protection of a guard of soldiers. He believed that precaution was altogether unnecessary, and that display of troops had done more than anything else to create disturbance, by collecting the crowds of boys who had lingered about the streets. That was not enough even to show their indiscretion; but they must proceed to arrest some parties who had been at the meeting on the night of the fire, and who had since been kept in prison apparently with very little reason. He would refuse, under circumstances like these, to be forced by the consideration of recent occurrences to pass any vote that implied confidence in the ministry.

Mr. Guy said this motion was an attempt on the part of the ministry to get a certificate of character from the House; and, for his part, he would not give them his subscription. On the contrary, he would tell them to their faces that they had done those things which they ought not to have done, and left undone those things which they ought to have done. They had, he presumed, given that advice to the Governor-General which had made it imperative on him to resort to a trick and artifice, in assenting to the Bill, unworthy of him, and which would, indeed, have been unworthy of the lowest member of the community. In the event of any popular opposition having been expected, why was not the House informed of what was going to take place? Had the House been aware that his Excellency was coming down, it might have been possible for honourable members on his (Mr. Guy's) side of the House to allay or control that strong sense of indignation felt by every individual of British origin in this community. Instead of that, the Governor-General was advised to exclude the possibility of that side of the House affording their support. That afternoon they

were called on to consent to the suspension of the rules of the House, in order to carry the Customs Bill, which it was said was highly important to be carried. They consented with the utmost good-will and expected to be treated fairly in return. They were treated unfairly, for they were denied the opportunity of protecting his Excellency from the outrage with which he had been treated. It was painful to reflect on what had taken place; but it was also to be deplored that the Governor-General should thus have made himself a party to a scheme to deceive the House and the country. Those who in other circumstances would have been entirely condemned, would now be somewhat excused on account of the suddenness of the blow with which they had been visited; for communities like individuals should have some allowance made for acts committed in hasty anger before they have time for cool reflection. This vote amounted to a vote of confidence, and doubtless the Administration with their present majority might carry it, if they pleased. But he thought that now when the country was engaged in civil war, it was not a time for carrying the triumph too far—it could hardly be thought necessary to keep up a law, an open issue on the surface of the body politic. He thought, too, that Ministers themselves must, by this time, be aware that his measure was calculated to disgust three-fourths of the people of Canada. It might be sustained in the House, but was not sustained by the country.

Mr. Baldwin disclaimed the idea that this was intended as a vote of confidence.

After some further conversation, which elicited nothing material,

Mr. Galt moved the following address in amendment:—"That this House have viewed with the most profound regret the disturbance of the public peace in the city of Montreal during the last three days, and which has resulted in the destruction of the parliamentary buildings, with the provincial archives and library, together with the destruction of much private property, and injury to the persons of Her Majesty's subjects. That this House considers it their first duty to tender to the Government their assurance, that nothing shall be wanting on their part to restore public tranquillity, and that they are ready to make provision for any measure thought necessary to protect life and property. That while the House are of opinion that the restoration of peace is the first object to be achieved, they consider that they should be wanting in their duty to their country if they did not express their opinion, that to the advice of the present Executive Government in recommending his Excellency to assent to the Rebellion Losses Bill, and to the manner in which that assent was given, is to be attributed the disturbances which have resulted so disastrously for the honour and prosperity of the province. That this House, fully recognising the constitutional principle that the Administration are to be held responsible for all acts of the Government, desire to express to his Excellency their sincere regret that his advisers should have taken that course which has caused insults to be offered to the Representative of Her Most Gracious Majesty in this province, as well as to this House, which are calculated to diminish the respect of the people for the constitution under which they live." The honourable member having read his proposed address, went on to remark that though he was as much as any man opposed to the Bill for paying the rebellion losses, he confessed that he would not wish that any Bill, after it had gone through all its stages in both Houses, should be rejected by the Representative of the Sovereign or by the Home Government. He thought it would be highly impolitic to take any steps that would induce the British Government to prevent the passing of such a Bill. We were not to cast the responsibility on the Home Government, nor on his Excellency; it must fall on the Ministry, for responsible government was now the law of the country, and must be adhered to through evil report and through good report. He thought that the Ministry, and they alone, were responsible for what had occurred; and believed the address would not express the sense of the House unless it expressed the regret which was felt at the insult which had been offered to his Excellency.

Mr. Papineau thought the effect of the present amendment would be to make the majority vote against its own course throughout the proceedings on this measure. To attempt to carry it, therefore, would not be to show any desire for that unanimity, which honourable gentlemen professed to desire. Political considerations of this kind ought not to be brought forward; if it were wished, for the common safety and from good feeling, to assure the Government that the House were willing to vote any necessary expenditure to restore order, anything else must awaken those animosities which were unfortunately so strongly marked. It was for the same reason that he blamed the main motion—it was produced by a desire of the Administration to obtain a vote of confidence, and was supported by persons who were disposed to cringe as meanly to Ministers as they would have done to Governors in former days. Ministers had shown that they possessed neither the energy nor the will necessary to carry out any measure in a consistent manner, for they were every minute changing their determination from what it had been a minute before. This had been shown in that very debate. First of all they came down and declared that they had nothing to ask of the House except a motion to adjourn; but the moment an address was moved by one of their friends, they could not resist the flattery, but supported it with all their might. If there were nothing else to excite alarm, this constant shuffling from one position to another, was the thing most calculated to throw anxiety into the mind of every honest man. The time must come when all these questions would come up; let them then be discussed. Let not honourable gentlemen on the other side ask from those on his side what they could not yield, nor desire them to condemn their own measures; and on the other hand the Government should not expect the Opposition to yield their opinions, for that would be equally unjust. Why should the House be called on to approve the conduct of the Governor-General? Was it not known that a large proportion of the population were now asking his recall, and had they not a right to do so, if they used only constitutional means? Why should there be any sacrifice of opinion, when all were agreed on the particular point which was of importance at the moment? On that one subject of preserving the peace of the

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city all were agreed, yet they had presented the humiliating spectacle of an assembly remaining there from 10 o'clock in the morning unable to agree for a single moment, at a time when agreement was most important. If the honourable member would take out his motion those portions which were already to be found on the journals of the House, and which condemned all that the majority had done, he would vote for the amendment. He agreed with the proposition to express the regret which the House must feel at the insult which had been offered to the Chief Magistrate and through him to the majesty of the law.

The vote was then taken on the amendment.

Yeas:—Messrs. Badgley, Boulton of Toronto, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Robinson, Seymour, Sherwood of Brockville, Sherwood of Toronto, Smith of Frontenac, and Stevenson.—14.

Nays:—Messrs. Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boulton of Norfolk, Bostillier, Cameron of Kent, Cartier, Cauchon, Chabot, Chauveau, Davignon, De Witt, Solicitor-General Drummond, Duchesnay, Damas, Fergusson, Fournier, Fourquin, Hincks, Holmes, La Terrière, Lemieux, Marquis, McFarland, Merritt, Nelson, Notman, Papineau, Polette, Price, Smith of Wentworth, Taché, Thompson, Viger, Watts, and Wetenhall.—37.

The question being then put upon the main motion, the House divided thereon, and it was carried in the affirmative.

Yeas:—Messrs. Attorney-General Baldwin, Beaubien, Bell, Solicitor-General Blake, Boulton of Norfolk, Bostillier, Cameron of Kent, Cartier, Cauchon, Chabot, Chauveau, Davignon, De Witt, Solicitor-General Drummond, Duchesnay, Damas, Fergusson, Fournier, Fourquin, Hincks, Holmes, La Terrière, Lemieux, Marquis, McFarland, Merritt, Nelson, Notman, Polette, Price, Smith of Wentworth, Taché, Thompson, Viger, Watts, and Wetenhall.—36.

Nays:—Messrs. Badgley, Boulton of Toronto, Cayley, Christie, Galt, Gagy, Sir Allan N. MacNab, Malloch, McConnell, Papineau, Robysson, Seymour, Sherwood of Brockville, Sherwood of Toronto, Smith of Frontenac, and Stevenson.—16.

The House then adjourned.

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EXTRACT from the "PILOT AND JOURNAL OF COMMERCE," dated Montreal, April 30, 1849.

The Late Riots.

Now that peace and tranquillity have been, it may be hoped, quite restored, it may be proper that the public, both here and in England, should be put in possession of all the facts connected with a very disgraceful riot which is calculated to injure the credit of the province, to destroy the prospect of obtaining English capital to construct our railways, and to increase that irritation of feeling, which all good subjects of Her Majesty ought to have been anxious to allay. We shall endeavour to treat the entire subject with calmness and moderation. We have no desire to inflame and irritate the angry passions of men capable of committing such outrages as those which have disgraced this city. We do not even deem it necessary at present to defend the course taken by the Administration with regard to the Indemnity Bill. We are far more anxious to maintain the great cause of constitutional government, and to defend the honoured representative of our beloved Sovereign, who has been most shamefully vilified for carrying into effect the wishes of the two Houses of the Canadian Parliament. All Canadian politicians profess their adhesion to the principles of constitutional government, and those principles, we need scarcely inform our readers, require the Sovereign, and, of course, the representative of the Sovereign, to assent to all Bills which have been sanctioned by the two Houses of Parliament. Let us not be misunderstood. In England, as in Canada, the Crown can exercise the Royal prerogative of refusing to assent to a Bill, but in practice this course is never resorted to, for the simple reason, that if the Crown has determined to withhold its assent, the time for announcing such determination would naturally be *before*, and *not after*, the passing of the Bill. Why, for instance, should the whole country have been inflamed and distracted with this Indemnity Bill, and the time of Parliament wasted, if all was to come to naught by the refusal of the Governor's assent? It would obviously have been an absurdity on the part of the Administration to introduce such a measure, and to undergo all the censure of their opponents, if they had not the means of carrying it into effect. One argument alone can be used against the foregoing view of the case, viz., that the question was an *Imperial one*. How can such a proposition be maintained for a moment? The Bill proposes an appropriation of the money of the Canadian people for a Canadian object. Why should the people of England interfere, unless to support a minority against a majority? But, it is said, public opinion is against the measure. The answer to this is, that in the city of Montreal, where the greatest excitement prevails, the present members were returned by large majorities, and we defy our opponents to give the names of fifty of their supporters who disapprove of their votes on this particular measure. The truth is, that both in Lower and Upper Canada, the opposition to the Bill has been a factious one on the part of the minority.

The Bill was carried by a majority of the members of British origin, which entirely disproves the assertion that the question has any connection with national distinctions. The administration has a majority from Upper Canada as well as from Lower Canada, and in the former province there is not a single French Canadian representative. The Bill not being an imperial question in any way, the Governor-General having been called upon very suddenly to sanction the Customs Bill in consequence of the arrival of two vessels at Quebec, proceeded to the Par-

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liament House on Wednesday, the 25th instant, and gave the Royal assent to all the Bills which had passed both Houses, and been reported upon. This was the usual, and obviously the correct course. Had any other been adopted there would have been just cause for complaint. The time had evidently arrived when his Excellency was called upon either to assent to the Bill or to reserve it. As the representative of the Queen of a country governed on constitutional principles, through a Parliament, one House of which is freely elected by the people, his course was plain. He acted on the advice of Parliament and of his ministers, and assented to the Bill. Immediately a slight disturbance ensued in the Legislative Council Chamber. The disappointed faction was excited, and symptoms of disapprobation were manifested, which were further exhibited by renewed insult as his Excellency left the Parliament House, though, as we mentioned on a former occasion, the rioters were in a minority. The assent was given to the Bill about five o'clock in the evening, and immediately after means were taken to get up a public meeting. The fire-engines were got out, and the bells were rung in every direction. A most inflammatory and treasonable hand-bill was circulated from the office of the leading opposition paper, and a meeting was in a few hours organized, which was addressed by individuals prominently connected with the Conservative party. We have no hesitation in affirming our belief that these parties are responsible morally, if not legally, for all the consequences which ensued, although they of course disclaim all intention of transgressing the bounds of constitutional opposition. As their conduct is likely to be the subject of legal inquiry, we shall at present say no more regarding it; but from that meeting a portion of the mob of which it was composed, hurried to the Parliament House, where the Assembly was in session, smashed the windows with stones, and before the troops could be brought on the ground, applied the torch to the building, which was entirely consumed, with the valuable libraries of the two houses, and all the Parliamentary records. The opposition say that the Government should have foreseen this outrage, and should have had troops on the ground to prevent it. But the same parties admit that they themselves never contemplated the possibility of such an act of Vandalism, and had the troops been on the ground, they would have asserted that the ministry desired to suppress the legitimate expression of public opinion against one of their measures. The fact is, that there can be no security, under any Government, against the sudden violence of a mob. It is gratifying to know that the ringleaders of the incendiaries are afraid to acknowledge or to justify their acts, and while acts of violence are committed which no person of influence will assume the responsibility of justifying, it is obvious that although much mischief may be committed, there is no danger of any very serious consequences.

On Thursday morning all appeared for some time to be tranquil, but the prompt arrest at an early hour of the orators of the night before renewed the excitement. The accused were sent to gaol under a strong escort, and in the afternoon their friends gathered again in numbers about the Parliament House, offering insults of all kinds to the magistrates, and others passing to and fro. Great forbearance was manifested; so much so, that both the friends and opponents of the Government have charged it with want of vigour. No doubt the party in opposition would, on one-tenth of the provocation, have deluged the streets with blood. But we believe that it is a consolation to the Government that not a life has been lost during the late tumult. After some time the mob dispersed, as was supposed at the time, but news soon came that the rioters had gone off to the suburbs. Here they committed some wanton outrages,—first at the dwelling-house of the Inspector-General, Mr. Hincks, and the adjoining house of Mr. Charles Wilson, a member of the City Council, and Mr. Holmes, M.P. for the city. They next proceeded to the residence of the Honourable Mr. La Fontaine, where they committed a great deal of injury, and which they attempted to burn. A strong detachment of military was sent after the rioters on its being known that mischief was going on; but it did not reach the suburbs until it was too late to prevent the outrages referred to.

On Friday, the Government, finding that it was impossible to guard all parts of the city and suburbs against such outrageous attacks of a contemptible rabble, headed by ringleaders who were masked, and who were inciting them to acts of the greatest atrocity, determined to organize a body of special constables, to be furnished with police arms, and to be placed under the orders of a number of magistrates. This organization was speedily effected. The French Canadian and Irish inhabitants came in crowds to tender their services, and a force of about 800 men was, in a few hours, placed in the Bonsecours market. Exaggerated reports got into circulation. It was said that Government was arming the French Canadians and Irish to exterminate their opponents, and the latter getting alarmed, threatened counter-agitation. No disturbance, however, took place on Friday night; the constables were kept close in their barracks at the market, and the rioters dispersed, after hearing some inflammatory speeches from gentlemen evidently much excited, and labouring under false impressions. On Saturday morning the excitement was very great for a time. Sir Benjamin D'Urban had arrived in town on Friday, and the presence of his Excellency at once inspired general confidence. It became known that a corps of provincial dragoons had been sent for, and also some companies of the 71st Regiment. Some of the more influential gentlemen of the opposition having on Saturday morning pledged themselves to use all their influence to prevent further rioting, and Sir B. D'Urban feeling assured that peace would be maintained without the aid of the special police, it was not deemed necessary to require those services any longer, and they were accordingly dismissed. The thanks of the Government and of the public are justly due to those citizens who came forward with no other object than to maintain public order, and who did not commit a single act of violence during the time that they were in service. We have gone into these particulars in consequence of the gross misrepresentations circulated regarding this force. The fact that they were under the command of the Hon. Col. Taché, a member of the Executive Council, a man of proved loyalty and discretion, and that he was assisted by a number of magistrates of the highest respectability, men incapable

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of sanctioning an outrage, ought to be sufficient to convince even the most prejudiced that no danger was to be apprehended from such a force. On Saturday the prisoners in gaol were admitted to bail, and perfect tranquillity prevailed during the evening, and has continued up to the time that we write. We may therefore fairly consider that peace and good order have been restored. On Friday, when the excitement was at the highest, a public meeting was held, over which the Honorable George Moffatt presided. We cannot but condemn in the most unequivocal manner the holding of a public meeting for a professedly constitutional object, at such a time of excitement—of course Mr. Moffatt's audience was composed principally of the rioters, and it is needless to say that they did not express any indignation at their own conduct. This meeting demanded the recall of our noble constitutional Governor-General, and small partizan societies have heaped insult on his Excellency to their own disgrace and dishonor. On Saturday the House of Assembly was able to proceed to business in the Bonsecours Market. We publish in this number the proceedings. A large majority has sustained his Excellency, and even the minority have refrained from sanctioning the conduct of the faction out of doors.

The representatives of the people have spoken out; and our firm belief is, that the people will, from one end of the province to the other, come forward in a constitutional manner to express their indignation at the late outrages, their loyalty to their Queen, attachment to British connexion, and their gratitude to our noble Governor-General for his just and impartial conduct in the Government of this province. Such will, we believe, be the opinions expressed by the people both in Upper and Lower Canada—by Anglo-Canadians, by French Canadians, by Irishmen, and, we trust, by many Englishmen and Scotchmen, who in other sections of the province are free from the prejudices entertained by their countrymen here. We trust that the people of England will consider the Canadian question coolly and impartially. Are the wishes of the Canadian Parliament, or of a factious minority, to be respected by our countrymen in England? Are we, in short, to be deprived of all our constitutional rights whenever the minority choose to raise a cry of dissatisfaction? All that the faction now expect is the interference of the Imperial Government to crush the majority, and throw the entire province into commotion. We believe it will be disappointed, and that the Governor-General will be allowed to administer his government with the advice of the freely elected representatives of the Canadian people.

The news from Quebec is most satisfactory. A futile attempt to insult the Governor-General, by burning him in effigy, was frustrated; and a monster meeting will be held immediately, or has by this time been held, to declare confidence in his Excellency, and approbation of his conduct.

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